

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Misuse of Internet Protocol (IP) Captioned)	CG Docket No. 13-24
Telephone Service)	
)	
Telecommunications Relay Services and Speech-)	CG Docket No. 03-123
to-Speech Services for Individuals with Hearing)	
and Speech Disabilities)	

REPLY COMMENTS OF SPRINT CORPORATION

Sprint Corporation (“Sprint”) hereby submits brief reply comments on the Federal Communications Commission’s (“Commission’s” or “FCC’s”) Further Notice of Proposed Rulemaking in the above-captioned proceeding regarding Internet Protocol Captioned Telephone Service (“IP CTS”).¹ As set forth below, Sprint encourages the Commission to: (1) permit IP CTS providers to provide service to, and receive compensation for, users who ultimately are verified; and (2) afford providers flexibility in determining which type of unique account identifier it submits in seeking compensation.

I. THE FCC SHOULD PERMIT IP CTS PROVIDERS TO OFFER SERVICE PENDING USER VERIFICATION

The Commission proposes to amend its rules to indicate that “IP CTS providers may provide service to new users for up to two weeks after the user’s registration information has been populated in the TRS User Registration Database while the TRS User Registration

¹ *Misuse of Internet Protocol (IP) Captioned Telephone Service, Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, Further Notice of Proposed Rulemaking, and Order, CG Docket Nos. 13-24 and 03-123, FCC 19-11 (rel. Feb. 15, 2019) (“*Further Notice*”).

Database user verification process is pending[.]”² The initial comments establish that the FCC should implement this proposal, in large part because doing so will advance functional equivalence.³ CaptionCall correctly notes that “individuals without hearing loss generally do not face similar delays or disruptions when they subscribe to a new provider” and “denying service until a user has been verified deprives the user of his or her federal civil right to effective telephone communications.”⁴ Accordingly, as the Consumer Groups indicate, adopting the proposed “change is essential to ensuring consumers are not unfairly burdened when they must submit supplementary identity information or there are problems the user cannot control.”⁵

Notably, the proposed rule change will not introduce waste, fraud, or abuse into the program because the FCC intends to permit providers to “seek TRS Fund compensation for such calls that are otherwise compensable only if the new user is ultimately verified as eligible to use IP CTS[.]”⁶ Given this safeguard, the Commission should consider eliminating the proposed

² *Id.* at App. C, 47 C.F.R. § 64.611(j)(2)(iv); *see also id.* ¶¶ 34-35.

³ Comments of Hearing Loss Association of America; Telecommunications for the Deaf and Hard of Hearing, Inc.; National Association of the Deaf; Association of Late-Deafened Adults; Cerebral Palsy and Deaf Organization; American Association of the Deaf-Blind; Deaf Seniors of America; California Coalition of Agencies Serving the Deaf and Hard of Hearing, Inc.; Deaf/Hard of Hearing Technology Rehabilitation Engineering Research Center; and Rehabilitation Engineering Research Center on Universal Interface & Information Technology Access, CG Docket Nos. 13-24 & 03-123, at 13 (Apr. 15, 2019) (“Consumer Group Comments”) (“This proposal will ensure that people who register for IP CTS will have access to this essential communication service as soon as possible, without increasing the risk of waste, fraud, and abuse.”); Comments of Hamilton Relay, Inc., CG Docket Nos. 13-24 & 03-123, at 2 (Apr. 15, 2019) (“Hamilton agrees that allowing such access will help minimize disruption of service to users[.]”) (“Hamilton Relay Comments”).

⁴ Comments of CaptionCall, LLC, CG Docket Nos. 13-24 & 03-123, at 2 (Apr. 15, 2019) (“CaptionCall Comments”).

⁵ Consumer Group Comments at 13.

⁶ *Further Notice*, App. C, 47 C.F.R. § 64.611(j)(2)(iv); *see also id.* ¶¶ 34-35; CaptionCall Comments at 2-3 (“It will remain the case that compensation is paid only for IP CTS usage by eligible users.”); Hamilton Relay Comments at 2.

two-week limitation. As ClearCaptions indicates, the “IP CTS provider should not be penalized (denied compensation) for services provided to a ported customer who was initially verified by the original IP CTS provider and whose re-verification takes more than two weeks.”⁷ The Commission also should direct the TRS Fund administrator to compensate providers if the verification period spans more than one reporting period.

II. THE FCC SHOULD AFFORD PROVIDERS FLEXIBILITY IN SUBMITTING A UNIQUE ACCOUNT IDENTIFIER

The Commission proposes to require IP CTS providers “seeking compensation from the Fund [to] submit a unique account identifier identifying the user receiving captions for a call[.]”⁸ In doing so, the FCC appears to contemplate that providers will have flexibility in determining which type of account identifier to use for this purpose.⁹

The initial comments establish that IP CTS providers must have such discretion in order to minimize the potential privacy concerns associated with the FCC’s proposal.¹⁰ For example, the Consumer Groups raise concerns that “requiring providers to submit personally identifiable account identifiers with call detail reports would unconstitutionally infringe on substantial

⁷ Comments of ClearCaptions, LLC, CG Docket Nos. 13-24 & 03-123, at 2 (Apr. 15, 2019) (“ClearCaptions Comments”). The record further indicates that the verification process can take longer than two weeks, “often through no fault of the user or the provider.” Letter from Rebekah P. Goodheart and Elliot S. Tarloff, Counsel for CaptionCall, LLC, to Marlene H. Dortch, FCC Secretary, CG Docket Nos. 13-24 & 03-123, at 10 (Feb. 7, 2019); *see also* ClearCaptions Comments at 2 (“If there are delays in the new provider’s re-verification of the IP CTS customer, two weeks may not be adequate time to complete identity verification.”).

⁸ *Further Notice*, App. C, 47 C.F.R. 64.604(c)(5)(iii)(D)(5); *id.* ¶ 33.

⁹ *Id.* (providing that IP CTS providers permissibly could use identifiers “*such as* the electronic serial number of the [IP CTS] device, the user’s log-in identification, or the user’s email address”) (emphasis supplied).

¹⁰ *See, e.g.*, CaptionCall Comments at 5 (Apr. 15, 2019) (The *Further Notice* “appropriately does not specify that any particular unique identifier must be used.”); Hamilton Relay Comments at 2 (“Hamilton does not object to this proposal as long as providers are given the flexibility to choose which unique account identifier it will include in its CDRs.”).

privacy interest of IP CTS users,” as well as “cause serious harm to professional and medical privacy interests.”¹¹ Similarly, Hamilton Relay “recommends that the Commission encourage providers to use a unique identifier that contains non-personally identifiable information about the user.”¹²

Affording providers the flexibility to determine which type of account identifier to submit also will minimize the burdens associated with this requirement. For example, CaptionCall notes that “providers should have the flexibility to create an appropriate identifier, particularly because some IP CTS accounts may be associated with multiple devices.”¹³ In light of these considerations, it is clear that the Commission should permit IP CTS providers to use discretion in determining the appropriate unique account identifier to use in seeking compensation.

III. CONCLUSION

In further reforming the IP CTS program, Sprint encourages the Commission to consider and incorporate the foregoing recommendations.

Respectfully submitted,

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¹¹ Consumer Group Comments at 8-12.

¹² Hamilton Relay Comments at 2.

¹³ CaptionCall Comments at 5.